

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,
Defendant.

In the matter of the Application for the Determination
of Reasonable License Fees by

AT&T WIRELESS

Case No. 41-1395 (WCC)

STIPULATION

WHEREAS, on August 18, 2008, applicant AT&T Mobility LLC ("AT&T") served papers in support of its Motion for Summary Judgment on Ringtone and Ringback Tone Previews (the "Motion");

WHEREAS, the American Society of Composers, Authors and Publishers ("ASCAP") has a due date of September 2, 2008 to serve its papers in opposition to the Motion;

WHEREAS, on August 19, 2008, ASCAP served its Interim Fee Proposal;

WHEREAS, AT&T's responsive brief and counterproposal is currently due on or before September 2, 2008, and ASCAP's reply is currently due on or before September 9, 2008;

WHEREAS, counsel for AT&T and ASCAP have conferred and, subject to Court approval, have agreed to extend the response dates provided above.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that:

1. ASCAP's opposition to AT&T's Motion shall now be due on or before September 9, 2008.

2. AT&T's papers in further support of the Motion shall be due on or before September 19, 2008.
3. AT&T's responsive brief and counterproposal to ASCAP's Interim Fee Proposal shall now be due on or before September 9, 2008.
4. ASCAP's reply to AT&T's responsive brief and counterproposal shall be due on or before September 19, 2008.

IT IS FURTHER HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that for the purpose of this Stipulation, facsimile and/or electronic signatures are acceptable and permitted and shall be considered original and authentic.

Dated: New York, New York
August 28 2008

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Attorneys for American Society of Composers,
Authors and Publishers

Attorneys for Applicant AT&T Mobility LLC

Date: Sept. 3, 2008
White Plains, NY

SO ORDERED:

William E. Conner
Sr. U.S.D.J.